

Article - Health Occupations

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§11–320.

(a) This section does not apply to:

(1) An individual licensed under Title 14, Subtitle 3 of this article; or

(2) An individual supervised by an individual licensed under Title 14, Subtitle 3 of this article.

(b) The Board may issue a cease and desist order or obtain injunctive relief for a violation of any provision of § 11–313 of this subtitle or § 11–501, § 11–502, or § 11–504 of this title.

(c) (1) An action may be maintained in the name of the State or the Board to enjoin:

(i) The unauthorized practice of optometry;

(ii) The misrepresentation of the practice of optometry;

(iii) The act of knowingly dispensing contact lenses or replacement contact lenses without a valid and unexpired prescription or a replacement contact lens prescription; or

(iv) Conduct that is grounds for disciplinary action under § 11–313 of this subtitle.

(2) An action under this subsection may be brought by:

(i) The Board, in its own name;

(ii) The Attorney General, in the name of the State; or

(iii) A State’s Attorney, in the name of the State.

(3) An action under this subsection shall be brought in the county where the defendant:

(i) Resides; or

(ii) Engages in the act sought to be enjoined.

(4) Proof of actual damage or that any person will sustain any damage if an injunction is not granted is not required for an action under this subsection.

(5) An action under this subsection is in addition to and not instead of criminal prosecution for disciplinary action under § 11–313 of this subtitle or the unauthorized practice of optometry under §§ 11–501, 11–502, and 11–504 of this title.

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